

REMARKS

Claims 1-8 are currently pending in the application. Claim 2 has been amended herein.

In response to the office communication mailed on June 3, 2005, in the above-identified patent application, species II (Figure 10) is elected.

It is respectfully submitted that claims 1-8 are readable on Figure 10.

Figure 10 is described at paragraphs 0050 through 0053 of the specification wherein the three layer sole-portion 902 of footwear 900 includes a three piece intermediate layer 905 having (1) a relatively rigid front-portion 910, (2) a relatively flexible mid-portion 911 and (3) a relatively rigid rear-portion 912.

Please note that independent claim 1 is readable on Figure 10 in that claim 1 requires a three-layer sole pad having a middle-layer that includes (a) a relatively rigid front portion, (b) a relatively flexible mid-portion, and (c) a relatively rigid rear portion.

Please note that independent claim 3 is readable on Figure 10 in that claim 3 requires a sole pad whose second layer includes with a relatively rigid front portion, a relatively flexible mid-portion, and a relatively rigid rear portion.

Respectfully submitted,

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